

No. 448101

IN THE
SUPREME COURT OF DELAWARE
1952 TERM

Office - Supreme Court, U.S.

FILED

NOV 13 1952

HAROLD B. WILLEY, Clerk

FRANCIS B. GEBHART, et al.,
Appellants,
vs.

ETHEL LOUISE BELTON, an Infant, by her Guard-
ian ad Litem, Ethel Belton, et al.,
Appellees.

No. 15

FRANCIS B. GEBHART, et al.,
Appellants,
vs.

SHIRLEY BARBARA BULAH, an Infant, by her Guard-
ian ad Litem, Sarah Bulah, et al.,
Appellees.

No. 16

ETHEL LOUISE BELTON, an Infant, by her Guard-
ian ad Litem, Ethel Belton, et al.,
Plaintiffs-Appellants,
vs.

No. 17

FRANCIS B. GEBHART, et al.,
Defendants-Appellees.

SHIRLEY BARBARA BULAH, an Infant, by her Guard-
ian ad Litem, Sarah Bulah, et al.,
Plaintiffs-Appellants,
vs.

No. 18

FRANCIS B. GEBHART, et al.,
Defendants-Appellees.

APPENDIX OF APPELLEES (PLAINTIFFS BELOW)
AND PLAINTIFFS-APPELLANTS

On Appeal from the Court of Chancery, New Castle County

LOUIS L. REDDING

JACK GREENBERG

*Counsel for Appellees (Plaintiffs below)
and Plaintiffs-Appellants.*

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Paul F. Lawrence—For Plaintiffs—Direct.

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at that afforded in School 29 is in my estimation far
prior to that afforded in School 107.

Mr. Redding: Cross-examine.

y the Court.

Q. Incidentally, were these teachers that were evaluated
[250] the present staffs of the schools? A. Yes, sir.

* * * * *

[279] *Redirect examination by Mr. Redding.*

Q. One further question, Doctor. Did you observe
whether or not there was any equipment in either school 362
to protect the school against fire hazard? A. Yes, I did.

Q. Did you make the observation for both schools? A.
School 29, which has seven exits—I beg your pardon, five
exits. There are seven fire extinguishers to protect against
small fires.

Q. Yes? A. In School 107, which has one main exit and
one exit through the furnace room, there is one fire extin-
guisher for that purpose and two small one-pint automatic
fire extinguishers located in the furnace room. Those two
are automatic.

* * * * *

[280] OTTO KLINEBERG, called as a witness on behalf
of the plaintiffs, being first duly sworn, testified as follows:

Direct examination by Mr. Greenberg.

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* * * * *

Q. What is your position, Dr. Klineberg? A. I am
Professor of Psychology at Columbia University in New
York.

Q. Do you belong to or hold office in any professional
societies? A. Yes, I do. I am Executive Secretary of the
Society for the Psychological Study of Social Issues. I

am a Fellow of the American Psychological Association, A Fellow of the American Association for the Advancement of Science, and a member of the board of directors of the Social Science Research Council, etc.

Q. Have you held office in the Eastern Psychological Association? A. Yes, I am a former president of the Eastern Psychological Association and a former president also of two [281] of the subdivisions of the American Psychological Association.

Q. What are those divisions, Dr. Klineberg? A. One of them is the division for the study of social issues and the other the division of personality and social psychology.

365 Q. Dr. Klineberg, have you been the author of any publication? A. Yes, I have written several books. Do you wish to know the names of any of those?

Q. Yes. A. I wrote a book, *Race Differences*, which was published by Harper in 1935; a book, *Negro Intelligence and Selective Migration*, published by the Columbia University Press in 1935; I wrote a book, *Social Psychology*, published by Holt in 1940; I edited a volume called *Characteristics of the American Negro*, published by Harper in 1944.

I very recently wrote a pamphlet on *Race and Psychology* for UNESCO, the United Nations Economics and Social Council.

366 Q. Have you been the author of many other monographs and articles? A. Many other monographs and articles in scientific journals, and chapters of books, and so on.

[282] Q. Dr. Klineberg, are there differences in inborn intellectual capacity among individuals which are determined by whether an individual is Negro or white? A. No. There are, of course, differences in intellectual capacity, but we have no scientific evidence that those differences are determined in any way by the racial origin of the individual.

* * * * *